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General and complete disarmament: the illicit trade in small arms and light weapons in all its aspects

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Fifty-eighth year

Letter dated 22 January 2003 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General

On instructions from the Government of the Republic of Panama, I have the honour to transmit to you herewith the text of the communiqué issued on 20 January 2003 by the Ministry of Foreign Affairs of the Republic of Panama concerning the report of the General Secretariat of the Organization of American States on the diversion of Nicaraguan arms to the United Self-Defence Forces of Colombia (see annex).

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as a document of the General Assembly under agenda item 66 (v), and of the Security Council.

(*Signed*) Ramón A. **Morales**
Ambassador
Permanent Representative

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Annex to the letter dated 22 January 2003 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General

Communiqué issued on 20 January 2003 by the Ministry of Foreign Affairs concerning the report of the General Secretariat of the Organization of American States on the diversion of Nicaraguan arms to the United Self-Defence Forces of Colombia

1. The investigation conducted by the General Secretariat of the Organization of American States (OAS), at the request of the President of the Republic of Panama, Mireya Moscoso, and supported by the Governments of Colombia and Nicaragua, confirmed the forgery of the purported purchase order of the Panamanian National Police that was used to procure the shipment of Nicaraguan arms that was then diverted to Colombia and ended up in the hands of the so-called United Self-Defence Forces of Colombia.

2. The investigation, which was entrusted by the Secretary-General of OAS, César Gaviria, to Ambassador Morris D. Busby, a retired official of the United States of America Department of State, who was the United States representative in Colombia, concluded with the submission to the ambassadors to the OAS of the report to the Ministers for Foreign Affairs of the three Governments, which, in addition to confirming that the purported purchase order had been forged, concluded, inter alia, that:

(a) "The Panamanian authorities were involved in neither the purchase nor diversion of the weapons" to Colombia.

(b) "The Government of Nicaragua had failed to comply with a number of the provisions of the Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), to which Nicaragua is a State party", and that, moreover, "the Nicaraguan authorities are guilty of professional negligence for their failure to verify whether the Panamian National Police was indeed the end purchaser in the arms transaction".

3. The Republic of Panama, as a State party to CIFTA, hereby reiterates its intention to observe, abide by and implement the provisions of the Convention, since it is the appropriate instrument for preventing the occurrence of acts such as those that gave rise to the investigation carried out by the General Secretariat of OAS.

4. In this connection, the Government of President Mireya Moscoso wishes to reiterate its proposal made to the Permanent Council of OAS, on 15 May 2002, for the adoption of complementary norms to strengthen and enhance the effectiveness of the implementation of the Convention.

5. The Government of Panama thanks the Secretary-General of OAS, César Gaviria, for his prompt response to the request of the Governments of Colombia, Nicaragua and Panama to conduct an impartial and objective investigation of all the facts related to this case, as well as the investigating team, headed by Ambassador Morris D. Busby, for its professionalism and diligence, and for the recommendations contained in the report, to which it will give due attention and ensure its follow-up.